

City of Arkadelphia
Board of Zoning Adjustment and
Planning Commission Meeting
March 15, 2018 at 12:00 p.m.
City Hall Boardroom, 700 Clay Street
Arkadelphia, Arkansas 71923

AGENDA

1. Call the Board of Zoning Adjustment to order.
2. Public hearing to consider a request by Roger and Tineska Perry for a variance to reduce the rear yard setback for a single-family addition at 141 N. 16th Street.
3. Adjourn Board of Zoning Adjustment
4. Call the Planning Commission to order.
5. Consider the January 18, 2018 minutes.
6. Consider request by MCB Properties, LLC for signage approval at 716 Clinton Street located in the Central Business redevelopment District.
7. Other business.
8. Adjourn Planning Commission.


ARKADELPHIA
It's a great place to call home!
City of Arkadelphia
Building Department
700 Clay Street, Suite 121
Arkadelphia, Arkansas 71923
Phone 870-246-1818 ♦ Fax 870-245-3553

Date: March 8, 2018

To: Board of Zoning Adjustment

Cc: Gary Brinkley, City Manager; Ed McCorkle, City Attorney; and City Board of Directors

From: Anita Wiley, Building Department Supervisor

Re: Variance request to reduce the rear yard setback from 20 feet to 7.5 feet at 141 N. 16th Street

This property was previously split zoned R-2 and (C-2) Highway Commercial District. It was rezoned to C-2 in order to construct a carwash. The dwelling and carwash are on the same lot screened by a fence.

Roger and Tineska Perry would like to construct an addition to their single-family dwelling at 141 N. 16th Street. The minimum required rear yard setback in the C-2 District is 20 feet from the property line (Ord. B-425, Art. 3-5.B.4./Arkadelphia Municipal Code, 14.04.03, Highway Commercial District C-2, B.4). They are requesting to reduce it to 7.5 feet. An existing portion of the rear of the house is currently 7.5 feet from the property line.

A permit was obtained to repair part of the rear of the dwelling in 2014 due to deterioration. During the repair, part of the exterior wall was removed and not restored to the original footprint. That permit is no longer valid. They are requesting to have the entire rear of the dwelling 7.5 feet from the rear property line.

As required, a legal notice was published in the Daily Siftings Herald and the adjacent property owner was notified. Staff has not received any objections to this request.

Staff recommends granting the variance to reduce the rear yard setback from 20 feet to 7.5 feet which will allow the owners to restore the dwelling to its original footprint.

CITY OF ARKADELPHIA
APPLICATION FOR HEARING

TO THE ARKADELPHIA BOARD OF ZONING ADJUSTMENT:

Application is hereby made to the Arkadelphia Board of Zoning Adjustment pursuant to the Arkansas laws, Act of 186 of 1957, Acts of Arkansas, as amended, requesting a hearing related to the following described property:

- 1) Please attach legal description: PEAK'S ADDN E 83'X210' OF LOT 4 Block 6
- 2) Street address or approximation thereof 141 N 16th St

Title of this property is vested in PERRY, ROGER L & TINESKA E

Address: 1600 Fine St Arkadelphia, AR 71923

- 3) There are no deed restrictions pertaining to the variance or appeal requested herein. Any restrictions are described _____

- 4) The hearing is requested for the following reason:
 - () Appeal from a decision of the City Engineer concerning his interpretation of the zoning regulations.

Explain: _____

Zoning Article #

- () Request for a variance from the zoning regulations due to unique characteristics of the property.

Explain: Request to reduce the rear setback from 20 feet to 7-1/2'

Zoning Article # 3-5.B.4

- 5) A map of the subject property is enclosed herewith as a means of illustrating the problem of concern. Where applicable, the map shows (1) the approximate dimensions of property lines and adjoining rights-of-way, (2) approximate outline location of buildings with appropriate dimensions, and (3) land uses and owners' names of adjacent properties.
- (7) It is understood that the Notice of Public Hearing will be published at least 7 days prior to said hearing in a newspaper of general circulation in the City. A publication fee of fifty dollars (\$50.00) and a filing fee of five dollars (\$5.00) will be paid to the Building Department. Total fees \$55.00.

\$55.00 received on 2/23/18

Check # 1254

Receipt # 9217

Rec. by *Delma Davis*

- 8) It is understood by the applicant that the Board of Zoning Adjustment may request that additional notice of said public hearing be given to certain interested persons and organizations.
- 9) Submit original with attachments to the City Engineer at least **ten working days prior to hearing date**. Use Additional sheets if above spaces are inadequate.
- 10) Under penalties of perjury, I declare that I have examined this petition, including accompanying materials and statements, and to the best of my knowledge and belief, it is true, correct and complete.

Respectfully submitted,

Signature of applicant

Roger Perry

Address

143 W 16th

Asheville, N.C. 28803

Telephone (870) 403-8983

(Do not write below this line)

CITY ENGINEER:

Date 2-23-18

Filing Date _____

Are all ten points of application in order? yes

Required number of copies mailed? yes

Time and date of public hearing 12:00 P.M. March 15, 2018

Notice published (newspaper and date) Daily Siftings Herald, 3-7-18

Copy attached? yes

Application approved by the Board of Zoning Adjustment? _____

Date _____

Reasons _____

Board's action was () was not () appealed to a court of record:

Date appealed _____

Court of record action on appeal _____

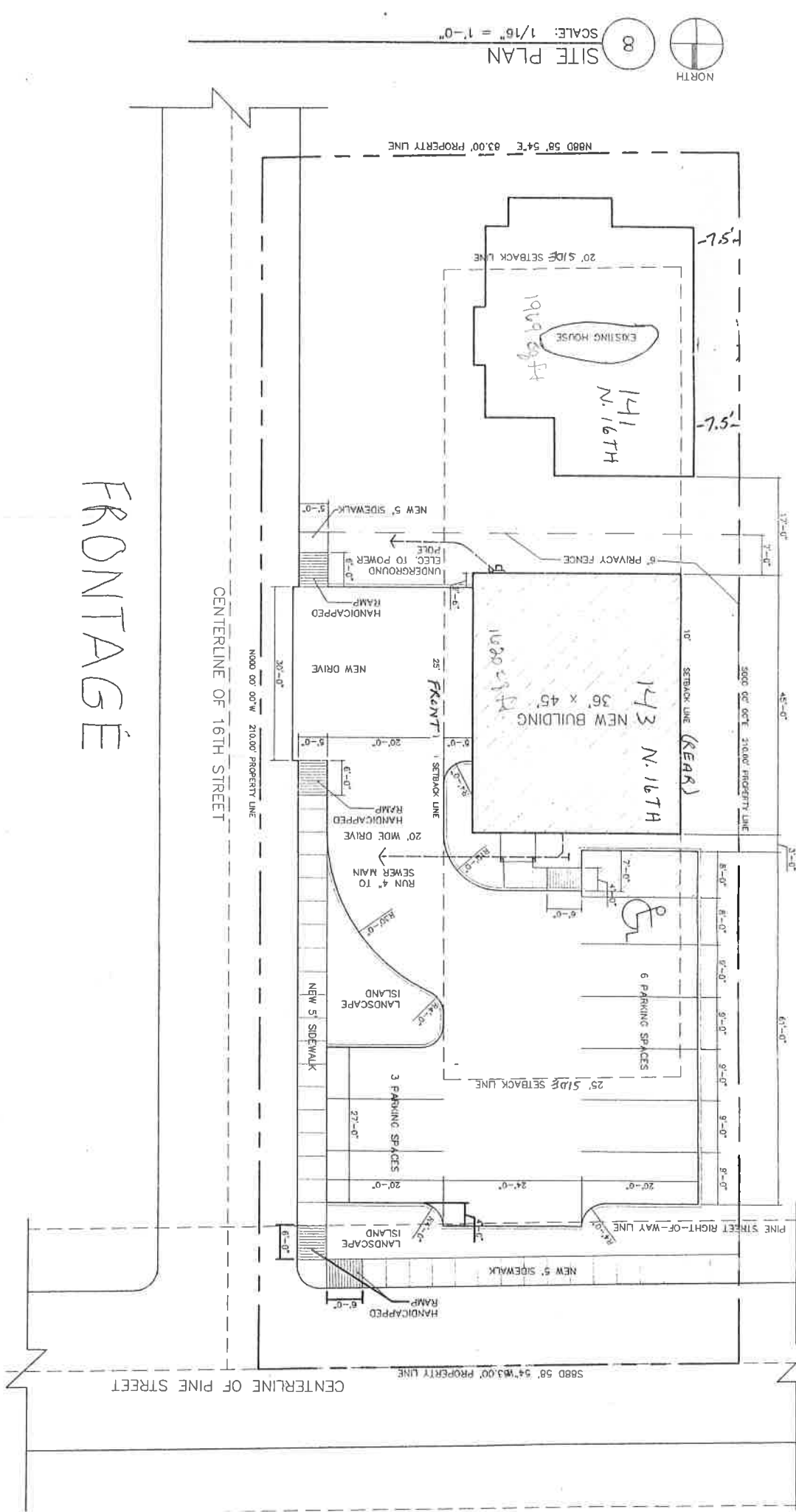
Signature of City Engineer _____

Date _____



SITE PLAN

SCALE: 1/16" = 1'-0"



FRONTAGE

143 N. 16th St

CENTERLINE OF 16TH STREET

CENTERLINE OF PINE STREET

Please schedule the attached legal notice for publication one time on Wednesday, March 7, 2018. Please send bill to the attention of Anita Wiley, City of Arkadelphia, Building Department, 700 Clay Street.

LEGAL NOTICE

Note meeting time change.

The Board of Zoning Adjustment will hold a public hearing on March 15, 2018 at 12:00 p.m. in the City Hall Boardroom, 700 Clay Street, Arkadelphia, Arkansas to consider Roger L. & Tineska E. Perry's request for a rear yard setback variance to construct an addition to the single-family dwelling at 141 N 16th Street. All interested parties may be heard at said time and place or may notify the Board of Zoning Adjustment by letter of their views on this matter. The application is on file for public inspection in the Building Department at 700 Clay Street. Dated this 28th day of February 2018. By: Jennifer Story, City Clerk.



*City of Arkadelphia
Building Department
700 Clay Street, Suite 121
Arkadelphia, Arkansas 71923
Phone 870-246-1818 • Fax 870-245-3553*

February 28, 2018

BBL, Inc.
1200 Pine Park Drive
Hope, AR 71801

Dear Property Owner:

I am resending this notification due to the meeting time change from 5:30 p.m. to 12:00 p.m. on March 15, 2018. The meeting was rescheduled due to a conflict with the Chamber of Commerce Banquet.

This letter is to notify you that Roger L and Tineska E Perry, neighboring property owners, have requested a rear yard setback variance to construct an addition to their single-family dwelling at 141 N 16th Street. This property is adjacent to property you own at 1605 Pine Street. The property is located in a C-2 Highway Commercial District. The minimum required rear yard setback is 20 feet from the property line. They are requesting to reduce the minimum required rear yard setback from 20 feet to 7.5 feet from the property line. An existing portion of the rear of the house is currently 7.5 feet from the property line. Part of the rear of the dwelling was removed in 2014 due to deterioration. The repair did not include restoring the exterior wall to the original footprint. They are requesting to have the entire rear of the dwelling 7.5 feet from the rear property line.

LEGAL NOTICE

The Board of Zoning Adjustment will hold a public hearing on **March 15, 2018 at 12:00 p.m.** in the City Hall Boardroom, 700 Clay Street, Arkadelphia, Arkansas to consider Roger L. & Tineska E. Perry's request for a rear yard setback variance to construct an addition to the single-family dwelling at 141 N 16th Street. All interested parties may be heard at said time and place or may notify the Board of Zoning Adjustment by letter of their views on this matter. The application is on file for public inspection in the Building Department at 700 Clay Street. Dated this 28th day of February 2018. By: Jennifer Story, City Clerk.

Please feel free to call the Building Department for additional information.

Sincerely,

Anita Wiley
Building Department Supervisor
Enc. (3)

7017 0660 0000 2283 6118

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
\$ 3.45

Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$ 2.75
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$

Postage
\$.47

Total Postage and Fees
\$ 6.67

Sent To

Street and Apt. No., or PO Box No. BBL, Inc.

City, State, ZIP+4® 1200 Pine Park Drive
Hope, AR 71801

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

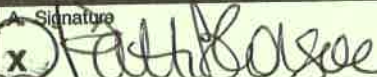
1. Article Addressed to:
BBL, Inc.
1200 Pine Park Drive
Hope, AR 71801



9590 9402 2905 7094 1828 70

2. Article Number (Transfer from service label)
7017 0660 0000 2283 6118

COMPLETE THIS SECTION ON DELIVERY

A. Signature  Agent Addressee

B. Received by (Printed Name) Faith Blaise C. Date of Delivery 3/27/19

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Insured Mail
 - Insured Mail Restricted Delivery (over \$500)
 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Return Receipt for Merchandise
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

City of Arkadelphia
 Planning Commission and
 Board of Zoning Adjustment Meeting
 January 18, 2018 at 5:30 p.m.
 City Hall Boardroom, 700 Clay Street
 Arkadelphia, Arkansas 71923
 MINUTES

Attending Members	Attending Citizens
George Franks, Vice-Chairman	Tony Calandro
Gracie Neal	Gary Brinkley, City Manager
Martha Bryant	Calli Birch
Tom Tobin, Chairman	Renee Morris
Lawrence Phillips	Anita Wiley, Staff
Llewellyn Terry	DeAnna Graves, Recorder

Tom Tobin called the Board of Zoning Adjustment to order at 5:32 p.m.

A public hearing was held to consider Affordable Investment LLC and Healthy Connections, Inc.'s variance request to exceed the permitted number of wall signs at 3034 #A Pine Street. Tony Calandro, CEO of Healthy Connections, addressed the Board concerning the request. He explained they are requesting to move the existing sign to the west side of building or south end facing Pine Street and to install a larger, six feet by 10 feet, sign on the east side of the building near the entrance which faces the AT&T building. After some discussion and no attending citizens objecting to the variance request, the Chairman closed the public hearing. *George Franks moved, seconded by Llewellyn Terry, to grant the variance request to move the existing sign to the south end of the building facing Pine Street and to install a six feet by ten feet sign on the east side facing the AT&T building.* The motion was approved unanimously on a roll call vote as follows:

George Franks	"Yes"	Tom Tobin	"Yes"
Gracie Neal	"Yes"	Lawrence Phillips	"Yes"
Martha Bryant	"Yes"	Llewellyn Terry	"Yes"

With no further business, *Lawrence Phillips moved, seconded by Martha Bryant, to adjourn the Board of Zoning Adjustment.* The motion passed unanimously. Adjournment was at 5:38 p.m.

Tom Tobin called the Planning Commission to order at 5:38 p.m.

The November 16, 2017 minutes were considered. *Martha Bryant moved, seconded by Lawrence Phillips, to approve the minutes as written.* The motion passed unanimously.

Next the Commissioners were to consider the request for signage approval at 636 Main Street in the Central Business Redevelopment District. Renee Morris, mother of Shaylah Montgomery, along with Callie Birch, business partner of The Farmhouse, presented the request to the Commissioners. The request was to install a four feet by eight feet sign on the front of the building facing Main Street and to gain approval for the sign already painted on the side of the building facing Seventh Street as shown on drawings submitted.

Martha Bryant moved, seconded by Lawrence Phillips, to grant the approval of the signs for "The Farmhouse" at 636 Main Street as presented. The motion was approved unanimously on a roll call vote as follows:

George Franks	"Yes"	Tom Tobin	"Yes"
Gracie Neal	"Yes"	Lawrence Phillips	"Yes"
Martha Bryant	"Yes"	Llewellyn Terry	"Yes"

Tom Tobin opened the meeting to other business which included:

- Anita Wiley reminding the Commissioners about the financial interest statements being due to her by January 22, 2017.
- Anita Wiley mentioned training is available for Planning Commissioners and asked if anyone was interested in attending to please let her know. She explained if you were interested in being a Certified Arkansas Planning Official, which is not required by the city, you would need to attend all three training sessions and complete a home study within a two year period.
- Lawrence Phillips asked if the city would consider placing a "No Jake Brake" sign going west on Hollywood Rd (Hwy 51/26) in the vicinity of the Magnolia Manor home.

With no further business, *George Franks moved, seconded by Martha Bryant, to adjourn the Planning Commission.* The motion was approved unanimously. The Planning Commission was adjourned at 5:44 p.m.

Tom Tobin, Chairman

DeAnna Graves, Recorder



Date: March 8, 2018

To: Planning Commission

Cc: Gary Brinkley, City Manager; Ed McCorkle, City Attorney; and City Board of Directors

From: Anita Wiley, Building Department Supervisor

Re: Request by Ashley McKenzie, on behalf of MCB Properties, LLC, for signage approval at 716 Clinton Street located in the Central Business Redevelopment District.

Per sign regulations, signs in the CBRD shall be reviewed and approved or denied by the Planning Commission on a case-by-case basis or through the approval process for the development site plan. (Ord. B-425, Article 5-12.P./Arkadelphia Municipal Code 14.04.05, Article 5-12)

Ashley McKenzie is a tenant at 716 Clinton Street. She is operating a Kate Rose business. She is requesting signage approval, on behalf of MCB Properties, LLC. The existing canopy signage was installed prior to approval. She was unaware that approval was required. The sign is 8 feet wide by 2 feet high totaling 16 square feet.

Staff recommends approving the request as submitted.



8' length x 2' height = 16 sq ft.

Parcel # 74-00300-000

Owner: MCB Properties, LLC

Tenant: Ashley McKenzie

Address: 716 Clinton

CBRD zoning District

DeAnna Graves

From: Ashley McKenzie <katerosebirthdays@gmail.com>
Sent: Wednesday, February 21, 2018 9:49 PM
To: DeAnna Graves
Subject: Fwd: Sign for 716 clinton st building

----- Forwarded message -----

From: Max Brown <insuremax@icloud.com>
Date: Wed, Feb 21, 2018 at 9:14 PM
Subject: Sign for 716 clinton st building
To: <katerosebirthdays@gmail.com>

Ashley you have my permission to put up signage on the building , Max Brown
Sent from my iPhone